

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KIMBERLEY TINGLEY-KELLEY,	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	
THE TRUSTEES OF THE	:	
UNIVERSITY OF PENNSYLVANIA,	:	
a Pennsylvania non-profit corporation,	:	
Defendant.	:	NO. 08-750

ORDER

AND NOW, this 6th day of January 2010, upon consideration of the Motion for Summary Judgment (Docket No. 16) filed by Defendant University of Pennsylvania, Plaintiff Ms. Tingley-Kelley's Response in Opposition (Docket No. 23), Defendant's Reply (Docket No. 25), and the related supplemental briefing (Docket Nos. 32, 33), it is hereby ORDERED that Defendant's Motion (Docket No. 16) is GRANTED IN PART and DENIED IN PART, as follows:

1. With regard to Count I (Sex Discrimination), Defendant's Motion for Summary Judgment is DENIED.
2. With regard to Count II (Retaliation), Defendant's Motion for Summary Judgment is GRANTED.
3. With regard to Count III (Fraudulent Misrepresentation), Defendant's Motion for Summary Judgment is GRANTED.

BY THE COURT:

S/Gene E.K. Pratter
GENE E. K. PRATTER
UNITED STATES DISTRICT JUDGE